

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

DARREN L. BUNCH, et al)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:18-cv-00439-BP
)	
THE TRAVELERS INDEMNITY)	
COMPANY OF CONNECTICUT,)	
)	
Defendant.)	

**PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO
STRIKE PLAINTIFFS' RULE 26(a)(2) EXPERT OR IN THE
ALTERNATIVE A MOTION FOR AN EXTENSION OF DEADLINE
IN THE SCHEDULING ORDER**

COMES NOW, Plaintiffs Darren Bunch and Mandy Bunch, by and through counsel of record, Brad Bradshaw, MD, JD, LC and for their Response to Defendant's Motion, states as follows:

1. That plaintiff admits that an amended scheduling order was entered and that they served on defendant the names, CV's and areas of testimony for their experts on April 30, 2019.
2. That due to plaintiff Darren Bunch's continued treatment (that is still ongoing and now may require additional surgical intervention), plaintiff's medical records were not available for review by his independent medical doctor or his life care planner.
3. That those reports were immediately provided to defendant's counsel upon receipt – Dr. Leonard on May 17, 2019 and Dr. Mullins on May 23, 2019, IME and Lifecare, respectively.
4. That plaintiffs' disclosure on those dates does not prejudice defendant.
5. Further, plaintiffs are agreeable to extending the deadline for defendant to disclose

experts.

6. That granting defendant's motion for an extension to the scheduling order will not delay the trial date.

WHEREFORE, plaintiff prays the Court to deny Defendant's Motion to Strike and to Grant Defendant's Motion for Extension of Deadline in the scheduling order, and for such other and further relief as the Court deems just and proper in the premises.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was electronically filed with the Clerk of the Court which sent notification of such filing to all counsel of record, on this the 13th day of June 2019, to:

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